



CITY OF HAYWARD AGENDA REPORT

Meeting Date 06/10/04
Agenda Item _____

TO: Planning Commission

FROM: David Rizk, Associate Planner

SUBJECT: Draft Environmental Impact Report for the Mt. Eden Annexation Study

RECOMMENDATION:

It is recommended that the Planning Commission review and comment on the Draft Environmental Impact Report.

DISCUSSION:

The purpose of this work session is to provide an opportunity for each Planning Commissioner and the public to comment on the Draft Environmental Impact Report (DEIR) prepared for the Mt. Eden Annexation Project. Copies of the DEIR were previously provided to Commissioners and forwarded to various agencies and interested parties, including the Hayward Unified School District, the Hayward Area Recreation and Parks District, the Alameda County Local Agency Formation Commission, various agencies at Alameda County and the State Clearinghouse. The DEIR is also available on the City's website.

Description of the Project:

The proposed project involves rezoning of properties in three unincorporated islands to City of Hayward zoning districts and annexation of these islands to the City of Hayward (see study area map, Exhibit A). No changes to existing City of Hayward General Plan land use designations are proposed as part of this Project.

The Project analyzed in the DEIR also includes future extension of utility lines, roadway improvements and similar appurtenances to portions of the Project area, in addition to future residential and nonresidential development. Based on a mid-range scenario under the existing General Plan designation of Medium Density Residential, future development is anticipated to consist of an estimated 475 new dwellings within the Saklan Road island. This would be in addition to the estimated 100 dwellings now in place. Nonresidential development is anticipated to accommodate 540,000 square feet of research and development and business park use in the Depot Road island, 390,000 square feet of light industrial floor space in the Dunn Road and western portion of the Saklan Road islands and 28,000 square feet of neighborhood commercial use in the southwest corner of the Saklan Road island.

Summary of Environmental Impacts and Mitigation Measures:

The summary table of environmental impacts and mitigation measures is attached to this report as Exhibit B and may also be found at the beginning of the DEIR. Major findings in the DEIR are highlighted below.

Geology and Soils

As are the majority of Hayward's flatlands, the project area is within a State-defined seismic hazard liquefaction zone, where there is a potential for damage to structures built as a result of the project during an earthquake. Mitigation measures to address potential impacts related to strong ground shaking and liquefaction require implementation of recommendations by California-registered geotechnical engineers, who will be required to conduct site-specific geotechnical investigations for individual development projects.

Hazardous Materials

As a result of past activities, some of the properties in the project area may contain contaminated soil or be located above contaminated groundwater plumes. Unless mitigated, construction of buildings as a result of the project may expose people in the area to soils and/or water-borne levels of contamination above acceptable regulatory levels resulting in adverse health effects. Mitigation measures call for pre-development submittal of Phase I Environmental Site Analysis reports to the City and, if warranted, Phase II reports. Compliance with recommendations in Phase II reports and any regulatory agency-approved hazardous materials work programs will be required.

Also, demolition of buildings and other facilities could release hazardous materials into the atmosphere, including asbestos-containing materials and lead-based paint, potentially resulting in health hazards to construction employees and local visitors and residents. To mitigate such potential impacts, the DEIR requires developers to contact appropriate regulatory agencies prior to demolition for site clearances and required permits and to comply with standards and demolition requirements of such agencies.

Hydrology, Drainage and Water Quality

The DEIR requires compliance with applicable regulations and standards to minimize impacts related to soil erosion, non-point source pollution and stormwater runoff and drainage, including preparation of erosion and sedimentation control plans, stormwater pollution prevention plans, and drainage/hydrology studies. Also, because the southwestern portions of the Dunn Road island and the western half of the Depot Road island are within federally defined 100-year flood hazard zones, the DEIR indicates future development within such areas will need to comply with the Flood Plain Management provisions of the Hayward Municipal Code.

Noise

The DEIR identifies potentially significant impacts related to traffic for future residential development along the east side of Clawiter Road and requires site-specific acoustic reports for such development and implementation of any recommendations of those reports to reduce noise

exposure levels to City noise standards. The DEIR also identifies aircraft noise associated with “touch-and-go” traffic operations at Hayward Executive Airport as a potentially significant impact, and calls for future residents to enter into aviation easements with the City of Hayward, indicating acknowledgment of existing and future aircraft operations. Finally, when appropriate, the DEIR requires implementation of measures to reduce impacts related to vibration for future development in the Depot Road and Dunn Road islands.

Transportation and Circulation

The DEIR concludes that no significant impacts would result from the project regarding intersections in the immediate vicinity of the project. To assess such impacts, a local intersection analysis was conducted for the DEIR, which identified two intersections where levels of service (LOS) would be potentially significantly affected: Hesperian Boulevard/West Winton Avenue and Dunn Road/Clawiter Road.

Regarding the Hesperian Boulevard/West Winton Avenue intersection, the DEIR indicates the planned Industrial Assessment District (IAD) improvements would reduce impacts at this intersection to a less-than-significant level, resulting in an improved LOS C. Such improvements include the Clawiter Road/Whitesell Street interchange, the Whitesell Street extension to Cabot Boulevard and the West A Street extension to Corsair Boulevard. These improvements are also identified in the General Plan Update EIR, which was adopted by the City in March 2002.

The Clawiter Road/Dunn Road intersection currently operates at a LOS D and is projected to worsen to LOS E in the afternoon peak-hour with the project. However, this situation is not unlike that with other unsignalized intersections in the city where traffic signal warrants are not met. There are projected to be delays on Dunn Road that are unavoidable, but because the traffic signal warrants are not met, even with the project, this impact is not considered to be significant.

Even though no significant project impacts to local intersections are identified, this DEIR relies on the analysis in the General Plan Update EIR and indicates cumulative traffic impacts related to regional traffic and congestion would be significant and unavoidable.

Parks

The DEIR indicates the estimated increased population resulting from the project would generate the need for an additional 7.3 acres of local parkland in the area. Mitigation measures identified in the DEIR require developers to pay park dedication in-lieu fees or dedicate/develop parkland. Possibilities for enhanced park and recreation facilities identified in the DEIR include the expansion and development of Greenwood Park, and/or the expansion of joint use facilities at Chabot College and Ochoa Middle School/Rancho Arroyo Park.

School Facilities

The potential additional 475 residential units that may be added to the area as a result of the annexation and related public infrastructure improvements are predicted to generate an estimated 190 elementary school students, 43 middle school students and 100 high school students. The schools that serve the area, Eden Gardens Elementary School, Ochoa Middle School and Mt. Eden High School, are all near or over capacity. The DEIR calls for project developers to pay

required school impact fees to offset impacts to schools generated by individual development projects, or provide other mitigation found acceptable by the Hayward Unified School District. Hayward Unified School District has been asked to review the EIR in light of its proposed facilities study.

Visual Resources

Preliminary assessments indicate several trees may need to be removed to accommodate roadway widening and improvements in the Saklan Road island. The DEIR requires a tree survey be conducted by a qualified arborist prior to development, who shall identify specific tree preservation methods, where appropriate. The DEIR further indicates that protected trees that cannot be feasibly preserved shall be replaced in conformity with the City's Tree Preservation ordinance.

NEXT STEPS:

A work session was held before the City Council on May 18, where each City Council member provided comments on the DEIR. Pertinent comments received by City Council members, members of the Planning Commission and the public will be incorporated into and addressed in the final environmental impact report (FEIR). In addition to having the opportunity to provide comments during the Commission meeting, the public may also provide written comments on the DEIR through the end of the 45-day public review period, until June 21, 2004. After the close of the official review period, a Final Environmental Impact Report (FEIR) will be prepared containing responses to comments on the DEIR and any revisions as appropriate. Based on review of the DEIR and comments contained in the FEIR, staff will finalize its recommendations for rezoning designations related to possible annexation of the study area. Those recommendations will be presented to the Planning Commission during a public hearing later in the year. The Commission's recommendations on rezoning and consideration of adoption of a resolution to submit an annexation application to the Local Agency Formation Commission will be the subject of a subsequent public hearing before the City Council.

Prepared by:

David Rizk, AICP
Associate Planner

Recommended by:

Dyana Anderly, AICP
Planning Manager

Attachments: Exhibit A. Study Area Map
Exhibit B. Summary of Environmental Impacts and Mitigation Measures